



1 **"SECTION 2544w.** 119.23 (7) (am) 1. and 2. of the statutes are amended to read:

2 119.23 (7) (am) 1. An independent financial audit of the private school
3 conducted by an independent certified public accountant, accompanied by the
4 auditor's statement that the report is free of material misstatements and fairly
5 presents pupil costs under sub. (4) (b) 1. The audit under this subdivision shall be
6 limited in scope to those records that are necessary for the department to make
7 payments under subs. (4) and (4m). The auditor shall conduct his or her audit,
8 including determining sample sizes and evaluating financial viability, in accordance
9 with the auditing standards established by the American Institute of Certified
10 Public Accountants. The department may not require an auditor to comply with
11 standards that exceed the scope of the standards established by the American
12 Institute of Certified Public Accountants.

13 2. Evidence of sound fiscal and internal control practices, as prescribed by the
14 department by rule. An auditor engaged to evaluate the private school's fiscal and
15 internal control practices shall conduct his or her evaluation, including determining
16 sample sizes, in accordance with attestation standards established by the American
17 Institute of Certified Public Accountants."

18 ***b0928/P3.7*1141.** Page 993, line 21: delete the material beginning with
19 that line and ending with page 994, line 7.

20 ***b0735/P1.2*1142.** Page 994, line 8: delete that line.

21 ***b0928/P3.8*1143.** Page 994, line 9: delete the material beginning with that
22 line and ending with page 995, line 20, and substitute:

23 **"SECTION 2549e.** 119.23 (9) (a) of the statutes is renumbered 119.23 (9) and
24 amended to read:

1 119.23 (9) If any accrediting agency specified under sub. (2) (a) 7. a. or b.
2 determines during the accrediting or preaccrediting process that a private school
3 does not meet all of the requirements under s. 118.165 (1), ~~or if the Institute for the~~
4 ~~Transformation of Learning at Marquette University determines during the~~
5 ~~preaccreditation process that a private school does not meet all of the requirements~~
6 ~~under s. 118.165 (1),~~ it shall report that failure to the department.

7 **SECTION 2549m.** 119.23 (9) (b) of the statutes is repealed.

8 **SECTION 2549s.** 119.23 (10) (a) 2. of the statutes is amended to read:

9 119.23 (10) (a) 2. Failed to provide the notice or pay the fee required under sub.
10 (2) (a) 3. or 3m. b., or provide the information required under sub. (7) (am) or (d), by
11 the date or within the period specified.”.

12 ***b1042/P1.5*1144.** Page 995, line 20: after that line insert:

13 **“SECTION 2549m.** 119.23 (10) (d) of the statutes is amended to read:

14 119.23 (10) (d) The state superintendent may withhold payment from a ~~parent~~
15 ~~or guardian private school~~ under subs. (4) and (4m) if the private school attended by
16 the child of the parent ~~or guardian~~ violates this section.”.

17 ***b1042/P1.6*1145.** Page 995, line 24: after “section.” insert “The
18 department may not by rule establish standards under sub. (7) (am) that exceed the
19 standards established by the American Institute of Certified Public Accountants.”.

20 ***b0928/P3.9*1146.** Page 996, line 2: delete the material beginning with “and
21 the parents” and ending with “section” on line 3.

22 ***b0987/P1.51*1147.** Page 996, line 15: on lines 15, 16 and 25, delete “490.04”
23 and substitute “16.287”.

1 ***b0987/P1.52*1148.** Page 997, line 2: delete "490.04" and substitute
2 "16.287".

3 ***b0737/P1.1*1149.** Page 997, line 4: delete the material beginning with that
4 line and ending with page 998, line 10.

5 ***b0731/P1.4*1150.** Page 998, line 11: delete the material beginning with
6 that line and ending with page 999, line 2.

7 ***b0720/1.4*1151.** Page 999, line 3: delete lines 3 to 7.

8 ***b0737/P1.2*1152.** Page 999, line 8: delete lines 8 to 17. *step*

9 ***b0731/P1.5*1153.** Page 999, line 18: delete the material beginning with
10 that line and ending with page 1001, line 2.

11 ***b0901/1.18*1154.** Page 1001, line 3: delete lines 3 to 9.

12 ***b0741/1.3*1155.** Page 1001, line 10: delete lines 10 to 17.

13 ***b0731/P1.6*1156.** Page 1001, line 18: delete the material beginning with
14 that line and ending with page 1002, line 3.

15 ***b0901/1.19*1157.** Page 1002, line 4: delete that line.

16 ***b1045/P3.7*1158.** Page 1002, line 9: after that line insert:

17 **"SECTION 2571d.** 121.08 (4) (a) 2. of the statutes is amended to read:

18 121.08 (4) (a) 2. Divide the sum under subd. 1. by the total amount of state aid
19 that all school districts are eligible to be paid from the appropriation under s. 20.255

20 (2) (ac), calculated as if the reduction under par. (b) ^{5 (b9) 5 ✓} ~~or (br)~~ had not occurred.

21 **SECTION 2571h.** 121.08 (4) (a) 3. of the statutes is amended to read:

1 121.08 (4) (a) 3. Multiply the amount of state aid that the school district is
2 eligible to be paid from the appropriation under s. 20.255 (2) (ac), calculated as if the
3 reduction under par. (b) ^(bg) or ~~(br)~~ had not occurred, by the quotient under subd. 2.

4 **SECTION 2571p.** 121.08 (4) (br) of the statutes is created to read:

5 121.08 (4) (br) The amount of state aid that the Racine Unified School District ✓
6 is eligible to be paid from the appropriation under s. 20.255 (2) (ac) shall also be
7 reduced by the amount calculated by multiplying the amounts paid under s. 118.60
8 (4) and (4m) in the 2011-12 school year and in each school year thereafter by 38.4
9 percent.

10 **SECTION 2571t.** 121.08 (4) (d) of the statutes is amended to read:

11 121.08 (4) (d) The state superintendent shall ensure that the total amount of ✓
12 aid reduction under pars. (a) and, (b) ^(bg) and ~~(br)~~ lapses to the general fund.”. ✓

13 ***b1046/P3.7*1159.** Page 1002, line 9: after that line insert:

14 **“SECTION 2571d.** 121.08 (4) (a) 2. of the statutes is amended to read:

15 121.08 (4) (a) 2. Divide the sum under subd. 1. by the total amount of state aid
16 that all school districts are eligible to be paid from the appropriation under s. 20.255
17 (2) (ac), calculated as if the reduction under par. (b) or ~~(br)~~ had not occurred.

18 **SECTION 2571h.** 121.08 (4) (a) 3. of the statutes is amended to read:

19 121.08 (4) (a) 3. Multiply the amount of state aid that the school district is
20 eligible to be paid from the appropriation under s. 20.255 (2) (ac), calculated as if the
21 reduction under par. (b) or ~~(br)~~ had not occurred, by the quotient under subd. 2.

22 **SECTION 2571p.** 121.08 (4) (bg) of the statutes is created to read:

23 121.08 (4) (bg) The amount of state aid that the Green Bay Area Public School
24 District is eligible to be paid from the appropriation under s. 20.255 (2) (ac) shall also

1 be reduced by the amount calculated by multiplying the amounts paid under s.
2 118.62 (4) and (4m) in the first school year that begins after a petition is certified
3 under s. 118.62 (1m) (d) and in each school year thereafter by 38.4 percent. ✓

4 **SECTION 2571t.** 121.08 (4) (d) of the statutes is amended to read:

5 121.08 (4) (d) The state superintendent shall ensure that the total amount of
6 aid reduction under pars. (a) ~~and~~, (b), ~~and (bg)~~ lapses to the general fund.” ✓

7 ***b0731/P1.7*1160.** Page 1002, line 10: delete lines 10 to 16.

8 ***b0738/P1.1*1161.** Page 1002, line 17: delete lines 17 to 25.

9 ***b0918/P4.2*1162.** Page 1003, line 1: delete lines 1 to 6 and substitute:

10 **“SECTION 2573g.** 121.90 (2) (am) 5. of the statutes is created to read:

11 121.90 (2) (am) 5. Amounts received in the 2011-12 school year under 2011
12 Wisconsin Act (this act), section 9137 (3q).

13 **SECTION 2574a.** 121.905 (1) of the statutes is amended to read:

14 121.905 (1) In this section, “revenue ceiling” means \$9,000 in the 2009-10
15 2011-12 school year and in the 2010-11 2012-13 school year and \$9,800 \$9,100 in
16 the 2013-14 school year and in any subsequent school year.

17 **SECTION 2575b.** 121.905 (3) (c) 3r. of the statutes is amended to read:

18 121.905 (3) (c) 3r. For the limit for the 2011-12 school year, ~~add \$275 to multiply~~
19 ~~the result under par. (b) by 0.945.~~

20 **SECTION 2576b.** 121.905 (3) (c) 4. of the statutes is amended to read:

21 121.905 (3) (c) 4. For the limit for the 2012-13 school year ~~or for any school year~~
22 ~~thereafter, add the result under s. 121.91 (2m) (h) 2. \$50 to the result under par. (b).~~

23 **SECTION 2576c.** 121.905 (3) (c) 5. of the statutes is created to read:

1 121.905 (3) (c) 5. For the limit for the 2013-14 school year and any school year
2 thereafter, make no adjustment to the result under par. (b).”.

3 ***b0920/P4.1*1163.** Page 1004, line 8: delete lines 8 to 11 and substitute:

4 **“SECTION 2586g.** 121.91 (2m) (h) 3. of the statutes is amended to read:

5 121.91 (2m) (h) 3. Add \$50 to the result under subd. 1. ~~to the result under subd.~~

6 ~~2.~~

7 **SECTION 2586r.** 121.91 (2m) (i) of the statutes is created to read:

8 121.91 (2m) (i) Except as provided in subs. (3) and (4), no school district may
9 increase its revenues for the 2013-14 school year or for any school year thereafter
10 to an amount that exceeds the amount calculated as follows:

11 1. Divide the sum of the amount of state aid received in the previous school year
12 and property taxes levied for the previous school year, excluding property taxes
13 levied for the purpose of s. 120.13 (19) and excluding funds described under sub. (4)
14 (c), by the average of the number of pupils enrolled in the 3 previous school years.

15 2. Multiply the result under subd. 1. by the average of the number of pupils
16 enrolled in the current and the 2 preceding school years.”.

17 ***b0920/P4.2*1164.** Page 1004, line 12: delete the material beginning with
18 that line and ending with page 1005, line 11, and substitute:

19 **“SECTION 2587g.** 121.91 (2m) (r) 1. b. of the statutes is amended to read:

20 121.91 (2m) (r) 1. b. Add an amount equal to the amount of revenue increase
21 per pupil allowed under this subsection for the previous school year multiplied by the
22 sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal
23 to the result under subd. 1. a., except that in calculating the limit for the ~~2009-10~~
24 ~~or 2010-11 school year, add \$200 to the result under subd. 1. a., and in calculating~~

1 ~~the limit for the 2011-12 school year, add \$275 to multiply the result under subd. 1.~~
2 ~~a. by 0.945, in calculating the limit for the 2012-13 school year, add \$50 to the result~~
3 ~~under subd. 1. a., and in calculating the limit for the 2013-14 school year and any~~
4 ~~school year thereafter, make no adjustment to the result under subd. 1. a.~~

5 **SECTION 2587r.** 121.91 (2m) (s) 1. b. of the statutes is amended to read:

6 121.91 (2m) (s) 1. b. Add an amount equal to the amount of revenue increase
7 per pupil allowed under this subsection for the previous school year multiplied by the
8 sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal
9 to the result under subd. 1. a., except that in calculating the limit for the ~~2009-10~~
10 ~~or 2010-11 school year, add \$200 to the result under subd. 1. a., and in calculating~~
11 ~~the limit for the 2011-12 school year, add \$275 to multiply the result under subd. 1.~~
12 ~~a. by 0.945, in calculating the limit for the 2012-13 school year, add \$50 to the result~~
13 ~~under subd. 1. a., and in calculating the limit for the 2013-14 school year and any~~
14 ~~school year thereafter, make no adjustment to the result under subd. 1. a.”.~~

15 ***b0920/P4.3*1165.** Page 1005, line 16: delete “(g) and” and substitute “(g).”.

16 ***b0918/P4.3*1166.** Page 1005, line 18: delete that line.

17 ***b0909/3.1*1167.** Page 1005, line 21: after that line insert:

18 **“SECTION 2599m.** 121.91 (4) (o) 1. of the statutes is amended to read:

19 121.91 (4) (o) 1. If a school board adopts a resolution to do so, the limit otherwise
20 applicable to a school district under sub. (2m) in any school year is increased by the
21 amount spent by the school district in that school year on a project to implement
22 energy efficiency measures, and renewable or to purchase energy efficiency products,
23 that result including the payment of debt service on bonds or notes issued to finance
24 the project, if the project results in the avoidance of, or reduction in, energy costs.

1 ~~The department shall promulgate rules to implement this subdivision, including~~
2 ~~eligibility standards for school districts or operational costs, the project is governed~~
3 ~~by a performance contract entered into under s. 66.0133, and the bonds or notes~~
4 ~~issued to finance the project, if any, are issued for periods not exceeding 20 years.~~
5 If a school board issues bonds or notes to finance a project described in this
6 subdivision, a resolution adopted by a school board under this subdivision is valid for
7 each school year in which the school board pays debt service on the bonds or notes.”.

8 ***b0919/P1.5*1168.** Page 1005, line 22: delete the material beginning with
9 that line and ending on page 1006, line 2.

10 ***b0909/3.2*1169.** Page 1006, line 2: after that line insert:

11 **“SECTION 2601m.** 121.91 (4) (q) of the statutes is created to read:

12 121.91 (4) (q) 1. The limit otherwise applicable to a school district under sub.
13 (2m) is increased by an amount equal to the amount of any refunded or rescinded
14 property taxes paid by the school board in the year of the levy if the valuation
15 represented by the refunded or rescinded property taxes result in a redetermination
16 of the school district’s equalized valuation by the department of revenue under s.
17 74.41.

18 2. Any additional revenue received by a school district under this paragraph
19 shall not be included in the base for determining the school district’s limit under sub.
20 (2m) for the following school year.”.

21 ***b0909/3.3*1170.** Page 1006, line 4: delete “and (L) to (o) and (8)” and
22 substitute “and (L) to, (o), and (8) (q)”.

23 ***b0943/1.2*1171.** Page 1006, line 10: after that line insert:

24 **“SECTION 2603m.** 125.01 of the statutes is amended to read:

1 **125.01 Legislative intent.** This chapter shall be construed as an enactment
2 of the legislature's support for the 3-tier system for alcohol beverages production,
3 distribution, and sale that, through uniform statewide regulation, provides this
4 state regulatory authority over the production, storage, distribution, transportation,
5 sale, and consumption of alcohol beverages by and to its citizens, for the benefit of
6 the public health and welfare and this state's economic stability. Without the 3-tier
7 system, the effective statewide regulation and collection of state taxes on alcohol
8 beverages sales would be seriously jeopardized. It is further the intent of the
9 legislature that without a specific statutory exception, all sales of alcohol beverages
10 shall occur through the 3-tier system, from manufacturers to ~~licensed~~ wholesalers
11 holding a permit to retailers to consumers. Face-to-face retail sales at licensed
12 premises directly advance the state's interest in preventing alcohol sales to underage
13 or intoxicated persons and the state's interest in efficient and effective collection of
14 tax.”.

15 ***b0739/2.217*1172.** Page 1006, line 11: delete lines 11 to 13.

16 ***b0943/1.3*1173.** Page 1006, line 13: after that line insert:

17 **“SECTION 2604bc.** 125.02 (15) of the statutes is renumbered 125.02 (15) (intro.)
18 and amended to read:

19 125.02 (15) (intro.) “Primary source of supply” means any of the following:

20 (b) With respect to intoxicating liquor, the manufacturer, the rectifier, or the
21 exclusive agent designated by the manufacturer or rectifier.

22 **SECTION 2604be.** 125.02 (15) (a) of the statutes is created to read:

1 125.02 (15) (a) With respect to fermented malt beverages, the brewer or
2 brewpub that manufactured the fermented malt beverages or the exclusive agent
3 designated by this brewer or brewpub.

4 **SECTION 2604bg.** 125.02 (21) of the statutes is amended to read:

5 125.02 (21) "Wholesaler" means a person, other than a brewer, brewpub,
6 manufacturer, or rectifier, who sells alcohol beverages to a licensed retailer or to
7 another person who holds a permit ~~or license~~ to sell alcohol beverages at wholesale.

8 **SECTION 2604bi.** 125.04 (12) (a) of the statutes is amended to read:

9 125.04 (12) (a) *From place to place.* Every alcohol beverage license or permit
10 may be transferred to another place or premises within the same municipality. An
11 alcohol beverage warehouse permit under s. 125.19, a winery permit under s. 125.53
12 or an intoxicating liquor wholesaler's permit under s. 125.54 may be transferred to
13 another premises within this state. ~~A Class "A" license and a wholesaler's license~~
14 ~~identified in s. 125.25 (2) (b) 2. may be transferred together as provided in s. 125.25~~
15 ~~(2) (b) 4. if the receiving municipality approves the transfer.~~ Transfers shall be made
16 by the issuing authority upon payment of a fee of \$10 to the issuing authority ~~and,~~
17 ~~for transfers as provided in s. 125.25 (2) (b) 4., transfers shall be received and the~~
18 ~~validity of the transferred licenses recognized by the receiving municipality upon~~
19 ~~approval of the transfer by the receiving municipality and payment to the receiving~~
20 ~~municipality of an additional fee of \$10 for each transferred license.~~ No retail
21 licensee, retail permittee, intoxicating liquor wholesaler or holder of a warehouse or
22 winery permit is entitled to more than one transfer during the license or permit year.
23 This paragraph does not apply to a license issued under s. 125.51 (4) (v) or to a reserve
24 "Class B" license, as defined in s. 125.51 (4) (a).

25 **SECTION 2604bk.** 125.05 (1) (d) of the statutes is amended to read:

1 125.05 (1) (d) *Wholesalers' licenses permits*. If the election results prohibit the
2 retail sale of fermented malt beverages, the ~~municipality may nevertheless issue~~
3 ~~wholesalers' licenses to qualified persons on the department shall include as a~~
4 ~~condition of any wholesaler's permit issued under s. 125.28 for a premises within the~~
5 municipality that the wholesaler may not sell or deliver fermented malt beverages
6 within the municipality to any person residing therein.

7 **SECTION 2604bm.** 125.07 (3) (a) 13. of the statutes is amended to read:

8 125.07 (3) (a) 13. An underage person who enters or remains in a banquet or
9 hospitality room on brewery premises ~~operated under a Class "B" or "Class B" license~~
10 for the purpose of attending a brewery tour.

11 **SECTION 2604bo.** 125.10 (4) of the statutes is amended to read:

12 125.10 (4) REGULATION OF CLOSED RETAIL PREMISES. A municipality may not
13 prohibit the permittee, licensee, employees, salespersons, employees of wholesalers
14 ~~licensed issued a permit~~ under s. 125.28 (1) or 125.54 (1); employees of permittees
15 under s. 125.295 with respect to the permittee's own retail premises; or service
16 personnel from being present on premises operated under a Class "A", "Class A" or
17 "Class C" license or under a Class "B" or "Class B" license or permit during hours
18 when the premises are not open for business if those persons are performing
19 job-related activities.

20 **SECTION 2604bs.** 125.25 (1) of the statutes is amended to read:

21 125.25 (1) Every municipal governing body may issue Class "A" licenses for the
22 sale of fermented malt beverages from premises within the municipality. ~~Subject to~~
23 ~~s. 125.34 (5) and (6), a~~ A Class "A" license authorizes retail sales of fermented malt
24 beverages for consumption off the premises where sold and in original packages,
25 containers, and bottles. A Class "A" license also authorizes the licensee to provide,

1 free of charge, to customers and visitors who have attained the legal drinking age
2 fermented malt beverages taste samples that are not in original packages,
3 containers, or bottles and that do not exceed 3 fluid ounces each, for consumption on
4 the Class "A" premises. No Class "A" licensee may provide more than 2 taste samples
5 per day to any one person. Taste samples may be provided under this subsection only
6 between the hours of 11 a.m. and 7 p.m. Any other provision of this chapter
7 applicable to retail sales of fermented malt beverages by a Class "A" licensee also
8 applies to the provision of taste samples, free of charge, of fermented malt beverages
9 by a Class "A" licensee. A license may be issued after July 1. That license shall expire
10 on the following June 30.

11 **SECTION 2604bu.** 125.25 (2) (b) 1. of the statutes is amended to read:

12 125.25 (2) (b) 1. ~~Beginning on May 5, 1994, a~~ A Class "A" license may not be
13 issued to a person holding a wholesaler's license permit issued under s. 125.28 or to
14 a person who has a direct or indirect ownership interest in a premises operating
15 under a wholesaler's license permit issued under s. 125.28.

16 **SECTION 2604db.** 125.25 (2) (b) 2., 3. and 4. of the statutes are repealed.

17 **SECTION 2604dd.** 125.25 (3) of the statutes is amended to read:

18 125.25 (3) Class "A" licenses shall particularly describe the premises for which
19 issued and are not transferable, except under ~~sub. (2) (b) 4. and~~ s. 125.04 (12). A Class
20 "A" license is subject to revocation for violation of any of the terms or provisions
21 thereof.

22 **SECTION 2604df.** 125.26 (1) of the statutes is amended to read:

23 125.26 (1) Every municipal governing body may issue Class "B" licenses for the
24 sale of fermented malt beverages from premises within the municipality and may
25 authorize an official or body of the municipality to issue temporary Class "B" licenses

1 under sub. (6). ~~Subject to s. 125.34 (5) and (6), a~~ A Class “B” license authorizes retail
2 sales of fermented malt beverages to be consumed either on the premises where sold
3 or off the premises. A license may be issued after July 1. That license shall expire
4 on the following June 30. Persons holding a Class “B” license may sell beverages
5 containing less than 0.5% of alcohol by volume without obtaining a license under s.
6 66.0433 (1).

7 **SECTION 2604dh.** 125.26 (2) (b) 1. of the statutes is amended to read:

8 125.26 (2) (b) 1. Except as provided in ~~ss. s. 125.295 and 125.31~~, Class “B”
9 licenses may not be issued to brewers or brewpubs.

10 **SECTION 2604dj.** 125.26 (2) (b) 2. a. of the statutes is renumbered 125.26 (2)
11 (b) 2. and amended to read:

12 125.26 (2) (b) 2. ~~Except as provided in s. 125.29, beginning on May 5, 1994, a~~
13 A Class “B” license may not be issued to a person holding a wholesaler’s license
14 permit issued under s. 125.28 or to a person who has a direct or indirect ownership
15 interest in a premises operating under a wholesaler’s license permit issued under s.
16 125.28.

17 **SECTION 2604dm.** 125.26 (2) (b) 2. b. and c. of the statutes are repealed.

18 **SECTION 2604do.** 125.275 (2) (b) 1. of the statutes is renumbered 125.275 (2)
19 (b) and amended to read:

20 125.275 (2) (b) ~~Beginning on May 5, 1994, an~~ An industrial fermented malt
21 beverages permit may not be issued to a person holding a wholesaler’s license permit
22 issued under s. 125.28 or to a person who has a direct or indirect ownership interest
23 in a premises operating under a wholesaler’s license permit issued under s. 125.28.

24 **SECTION 2604dp.** 125.275 (2) (b) 2. and 3. of the statutes are repealed.

25 **SECTION 2604dq.** 125.28 (title) of the statutes is amended to read:

1 **125.28 (title) Wholesalers' licenses permits.**

2 **SECTION 2604ds.** 125.28 (1) of the statutes is amended to read:

3 125.28 (1) (a) Subject to par. (b), ~~every municipal governing body the~~
4 ~~department~~ may issue licenses permits to wholesalers for the sale of fermented malt
5 beverages from premises within ~~the municipality this state~~, which premises shall
6 comply with the requirements under s. 125.34 (2). Subject to s. 125.34, and except
7 as provided in pars. (e) and (f), a wholesaler's license permit authorizes sales of
8 fermented malt beverages only in original packages or containers to retailers or
9 wholesalers, ~~not to be consumed in or about the wholesaler's premises.~~

10 (b) If a wholesaler does not maintain any warehouse in this state but is licensed
11 and maintains a warehouse in an adjoining state that allows wholesalers ~~licensed~~
12 holding a wholesaler's permit in this state to deliver fermented malt beverages to
13 retailers in the adjoining state without warehousing in that state and that further
14 requires that all fermented malt beverages be first unloaded and physically at rest
15 at, and distributed from, the warehouse of the licensed wholesaler in that state, the
16 wholesaler's license permit shall be issued by the ~~governing body of the municipality~~
17 ~~in which some part of the wholesaler's business is conducted in this state~~
18 ~~department~~. Notwithstanding s. 125.04 (5) (a) 2. and (c) and (6), the ~~municipal~~
19 ~~governing body department~~ may issue the wholesaler's license permit to a
20 wholesaler described in this paragraph who is a natural person and not a resident
21 of this state or that is a corporation or limited liability company and has not
22 appointed an agent in this state.

23 (c) No additional license or permit is required for the solicitation of orders for
24 sale to or by ~~licensed~~ wholesalers holding a permit under this section.

1 (d) Wholesalers ~~licensed~~ holding a permit under this section, employees of such
2 wholesalers, and individuals representing such wholesalers may not provide or
3 participate in providing taste samples under ss. 125.25 (1) and 125.33 (12).

4 **SECTION 2604du.** 125.28 (1) (e) and (f) of the statutes are created to read:

5 125.28 (1) (e) Notwithstanding ss. 125.04 (9) and 125.09 (1), if a wholesaler was
6 issued a retail license prior to January 1, 2011, then the wholesaler may, under its
7 wholesaler's permit, continue to sell at retail fermented malt beverages to
8 individuals as was permitted under the previously issued retail license.

9 (f) A wholesaler's permit authorizes the wholesaler to sell or give fermented
10 malt beverages to its employees. Fermented malt beverages may be consumed on a
11 wholesaler's premises at events not open to the general public.

12 **SECTION 2604ed.** 125.28 (2) (a) of the statutes is amended to read:

13 125.28 (2) (a) A wholesaler's license permit may be issued to any person
14 qualified under s. 125.04 (5) except a person acting as an agent for, or in the employ
15 of, another person. Notwithstanding s. 125.04 (5) (a) 5., a person is not required to
16 complete a responsible beverage server training course to be qualified for a license
17 permit under this section.

18 **SECTION 2604ef.** 125.28 (2) (b) (intro.) of the statutes is amended to read:

19 125.28 (2) (b) (intro.) ~~Except as provided in par. (c) and s. 125.29, beginning on~~
20 ~~May 5, 1994, a~~ A wholesaler's license permit may not be issued to any of the
21 following:

22 **SECTION 2604eg.** 125.28 (2) (b) 1. b. and c. and 2. of the statutes are amended
23 to read:

24 125.28 (2) (b) 1. b. A Class "B" license issued under s. 125.26, ~~except as provided~~
25 ~~in s. 125.29 (4).~~

1 c. A Class "B" permit issued under s. 125.27, ~~except as provided in s. 125.29 (4).~~

2 2. ~~A Except as provided in s. 125.33 (2m), a~~ person who has a direct or indirect
3 ownership interest in a premises operating under one or more of the licenses or
4 permits listed in subd. 1. a. to ~~e.~~ f.

5 **SECTION 2604eh.** 125.28 (2) (b) 1. f. of the statutes is created to read:

6 125.28 (2) (b) 1. f. A brewer's permit issued under s. 125.29.

7 **SECTION 2604ej.** 125.28 (2) (c) of the statutes is repealed.

8 **SECTION 2604em.** 125.28 (2) (d) and (e) of the statutes are created to read:

9 125.28 (2) (d) Notwithstanding par. (b) 1. f. and 2., a wholesaler may not hold
10 any ownership interest in any brewer, except a wholesaler that holds an ownership
11 interest in a brewer on the effective date of this paragraph [LRB inserts date], may
12 continue to hold that interest.

13 (e) 1. Any person holding an unexpired wholesaler's license issued under s.
14 125.28, 2009 stats., prior to January 1, 2012, shall be treated as holding a valid
15 wholesaler's permit under this section until January 1, 2013. On January 1, 2013,
16 all wholesaler's licenses issued under s. 125.28, 2009 stats., shall be void.

17 2. After January 1, 2012, the department shall issue to each person holding an
18 unexpired wholesaler's license issued under s. 125.28, 2009 stats., a wholesaler's
19 permit if the person does not hold a license or permit prohibited under par. (b). The
20 issuance of a wholesaler's permit by the department to any person shall invalidate
21 any previous wholesaler's license issued under s. 125.28, 2009 stats., to the person.

22 **SECTION 2604eo.** 125.28 (3) of the statutes is amended to read:

23 125.28 (3) Wholesalers' licenses permits shall particularly describe the
24 premises for which issued and are not transferable, except as provided in ~~ss.~~ s. 125.04

1 (12) ~~and 125.25 (2) (b)~~ 4. A wholesaler's license permit is subject to revocation for
2 violation of any of the terms or provisions thereof.

3 **SECTION 2604eq.** 125.28 (4) of the statutes is amended to read:

4 125.28 (4) The amount of the license permit fee shall be ~~determined~~ established
5 by the ~~municipal governing body issuing the license but~~ department and shall be an
6 amount that is sufficient to fund one special agent position dedicated to alcohol and
7 tobacco enforcement at the department, but the permit fee may not exceed \$25
8 \$2,500 per year or fractional part thereof. All permit fees received under this
9 subsection shall be credited to the appropriation account under s. 20.566 (1) (hd).

10 **SECTION 2604es.** 125.28 (5) of the statutes is created to read:

11 125.28 (5) (a) The premises described in a permit issued under this section
12 shall be capable of warehousing fermented malt beverages. Any fermented malt
13 beverages sold by the wholesaler shall be physically unloaded at the premises
14 described in the permit, or at any warehouse premises for which the wholesaler also
15 holds a permit under this section and a permit issued under s. 125.19, prior to being
16 delivered to a retail licensee or to another wholesaler.

17 (b) A wholesaler under this section shall annually sell and deliver fermented
18 malt beverages to at least 25 retail licensees or other wholesalers that do not have
19 any direct or indirect interest in each other or in the wholesaler. The department
20 may not issue a permit under this section unless the applicant represents to the
21 department an intention to satisfy this requirement, and may not renew a permit
22 issued under this section unless the wholesaler demonstrates that this requirement
23 has been satisfied.

1 (c) No fermented malt beverages retail licensee or wholesaler may receive a
2 benefit from a violation under par. (a) or (b) with knowledge of the circumstances
3 giving rise to the violation.

4 (d) 1. A wholesaler that violates this subsection shall be fined not more than
5 \$10,000. In addition, a court shall order the wholesaler to forfeit an amount equal
6 to any profit gained by the wholesaler or retail licensee that violates par. (c), or by
7 both, resulting from the violation, and the court shall further order that the
8 wholesaler's permit be revoked.

9 2. A court shall order a retail licensee or wholesaler that violates this
10 subsection to forfeit an amount equal to any profit gained by the retail licensee or
11 wholesaler resulting from the violation, and the court shall further order that the
12 retail license or wholesaler's permit be revoked.

13 3. This paragraph shall not affect the authority of any municipality or the
14 department to revoke, suspend, or refuse to renew or issue a license or permit under
15 s. 125.12.

16 (e) The department shall promulgate rules to administer and enforce the
17 requirements under this subsection. The rules shall ensure coordination between
18 the department's issuance and renewal of permits under this section and its
19 enforcement of the requirements of this subsection, and shall require that all
20 applications for issuance or renewal of permits under this section be processed by
21 department personnel generally familiar with activities of fermented malt beverages
22 wholesalers. The department shall establish by rule minimum requirements for
23 warehouse facilities on premises described in permits issued under this section and
24 for periodic site inspections by the department of such warehouse facilities.

25 **SECTION 2604eu.** 125.29 (1) of the statutes is amended to read:

1 125.29 (1) PERMIT. No person may operate as a brewer unless that person
2 obtains a permit from the department. ~~Each wholesaler required to register under~~
3 ~~s. 139.09 shall obtain a permit under this subsection.~~ A permit under this section
4 may only be issued to a person who holds a valid certificate issued under s. 73.03 (50).

5 **SECTION 2604fc.** 125.29 (2) (title) of the statutes is repealed and recreated to
6 read:

7 125.29 (2) (title) INTEREST RESTRICTIONS.

8 **SECTION 2604fe.** 125.29 (2) of the statutes is renumbered 125.29 (2) (a) and
9 amended to read:

10 125.29 (2) (a) ~~Except as provided in s. 125.31, no~~ No person holding a Class "A"
11 license, Class "B" license or permit, or wholesaler's permit issued under this chapter
12 may register as a brewer.

13 **SECTION 2604fg.** 125.29 (2) (b) of the statutes is created to read:

14 125.29 (2) (b) 1. Except as provided in subd. 2. or 3., no brewer may hold any
15 ownership interest in any wholesaler.

16 2. A brewer may hold an ownership interest of less than 50 percent in a
17 wholesaler if this ownership interest will not occur for more than 3 years.

18 3. If a wholesaler that has been granted distribution rights by a brewer for a
19 brand in a designated sales territory is unable to service the designated sales
20 territory for any reason, including the discontinuation of the wholesaler's
21 distribution rights, bankruptcy, or criminal prosecution of the wholesaler in
22 connection with operation of the wholesaler, and the reason is not the result of an
23 action by the brewer, then a brewer shall be allowed, for a period of not more than
24 one year, to take temporary control and operation of the wholesaler.

25 **SECTION 2604fi.** 125.29 (3) of the statutes is repealed and recreated to read:

1 125.29 (3) AUTHORIZED ACTIVITIES. The department shall issue brewer's permits
2 to eligible applicants authorizing all of the following:

3 (a) The manufacture of fermented malt beverages on the brewery premises.

4 (b) The bottling, packaging, possession, and storage of fermented malt
5 beverages on the brewery premises.

6 (c) The transportation of fermented malt beverages between the brewery
7 premises and any depot or warehouse maintained by the brewer.

8 (d) The sale, shipment, transportation, and delivery, in original unopened
9 packages or containers, to wholesalers, from the brewery premises, of fermented
10 malt beverages that have been manufactured by the brewer on those premises or on
11 other premises of the brewer.

12 (e) Notwithstanding ss. 125.04 (9) and 125.09 (1), the retail sale of fermented
13 malt beverages that have been manufactured on the brewery premises or on other
14 premises of the brewer for on-premise consumption by individuals at the brewery
15 premises or an off-site retail outlet established by the brewer.

16 (f) Notwithstanding ss. 125.04 (9) and 125.09 (1), the retail sale to individuals
17 of fermented malt beverages, in original unopened packages or containers, that have
18 been manufactured on the brewery premises or on other premises of the brewer for
19 off-premise consumption by individuals, if the sale occurs at the brewery premises
20 or at an off-site retail outlet established by the brewer.

21 (g) Notwithstanding ss. 125.04 (9) and 125.09 (1), the retail sale of fermented
22 malt beverages, for on-premise consumption or for off-premise consumption in
23 original unopened packages or containers, that have been manufactured on another
24 brewery premises in this state if the fermented malt beverages have been purchased
25 by the brewer from a wholesaler holding a permit under s. 125.28 or from another

1 brewery located in this state that manufactures 300,000 or less barrels of beer in a
2 calendar year.

3 (h) Notwithstanding ss. 125.04 (9) and 125.09 (1), the retail sale of intoxicating
4 liquor, for on-premise consumption by individuals at the brewery premises or an
5 off-site retail outlet established by the brewer, if the brewer held, on June 1, 2011,
6 a license or permit authorizing the retail sale of intoxicating liquor and if the
7 intoxicating liquor has been purchased by the brewer from a wholesaler holding a
8 permit under s. 125.54.

9 (i) The provision of free taste samples on the brewery premises, at an off-site
10 retail outlet established by the brewer, or as authorized under s. 125.33 (12).

11 (j) The ownership, maintenance, or operation of places for the sale of fermented
12 malt beverages at the state fair park or on any county fairgrounds located in this
13 state.

14 **SECTION 2604fk.** 125.29 (3m) of the statutes is created to read:

15 125.29 (3m) SALES TO RETAILERS. (a) Except as provided in pars. (b) and (c), no
16 brewer may sell fermented malt beverages to a retail licensee.

17 (b) A brewer that manufactures 300,000 or less barrels of fermented malt
18 beverages in a calendar year from all locations may sell, ship, transport and deliver
19 to retailers, from the brewery premises, fermented malt beverages, in original
20 unopened packages or containers, that have been manufactured on the brewery
21 premises, if the brewer complies with the requirements in ss. 125.33 and 125.34, as
22 applicable, to the same extent as if the brewer were a wholesaler.

23 (c) If a wholesaler that has been granted distribution rights by a brewer for a
24 brand in a designated sales territory is unable to service the designated sale territory
25 for any reason, including the discontinuation of the wholesaler's distribution rights,

1 bankruptcy, or criminal prosecution of the wholesaler in connection with operation
2 of the wholesaler, and the reason is not the result of an action by the brewer, then a
3 brewer shall be allowed, for a period of not more than one year, to sell or ship any
4 brand of fermented malt beverages to retailers located in the wholesaler's designated
5 sales territory.

6 **SECTION 2604fm.** 125.29 (4) of the statutes is repealed.

7 **SECTION 2604fo.** 125.29 (6) of the statutes is repealed and recreated to read:

8 125.29 (6) RESTAURANTS. A brewer may operate a restaurant on the brewery
9 premises and at an off-site retail outlet established by the brewer. A brewer may not
10 hold a restaurant permit for the operation of a restaurant at any other location except
11 that a brewer may possess or hold an indirect interest in a Class "B" license for not
12 more than 20 restaurants in each of which the sale of alcohol beverages accounts for
13 less than 60 percent of the restaurant's gross receipts if no fermented malt beverages
14 manufactured by the brewer are offered for sale in any of these restaurants.

15 **SECTION 2604fq.** 125.295 (2) (a) 6. c. of the statutes is amended to read:

16 125.295 (2) (a) 6. c. A wholesaler's license permit issued under s. 125.28.

17 **SECTION 2604fs.** 125.30 (1) of the statutes is amended to read:

18 125.30 (1) The department shall issue out-of-state shippers' permits which,
19 except as provided in s. ~~125.34 (6) (e)~~ sub. (4), authorize the permittee to ship
20 fermented malt beverages only to holders of a wholesaler's license permit issued
21 under s. 125.28. Except with respect to any shipment from a warehouse in an
22 adjoining state by a wholesaler issued a wholesale license permit under s. 125.28 (1)
23 (b), no person may receive fermented malt beverages in this state which have been
24 directly shipped from outside this state by any person other than the holder of a
25 permit issued under this section. Subject to s. 125.34 (2) ~~and (6) (e)~~, all shipments

1 of fermented malt beverages to a wholesaler of fermented malt beverages in this
2 state, whether shipped to the wholesaler from inside this state or from outside this
3 state, shall be unloaded in, physically at rest in, and only then distributed from the
4 wholesaler's warehouse in this state.

5 **SECTION 2604fu.** 125.30 (3) of the statutes is amended to read:

6 125.30 (3) Out-of-state shippers' permits may be issued only to a person who
7 holds a valid certificate issued under s. 73.03 (50) ~~and~~, who is qualified under s.
8 125.04 (5), who does not maintain an office or street address in this state, and who
9 is the primary source of supply for the brand of fermented malt beverages. An
10 out-of-state shipper's permit may not be issued to a person determined by the
11 department to be primarily engaged in wholesale or retail sales in another state.

12 Notwithstanding s. 125.04 (5) (a), natural persons obtaining out-of-state shippers'
13 permits are not required to be residents of this state. Notwithstanding s. 125.04 (5)
14 (a) 5., a person is not required to complete a responsible beverage server training
15 course to be qualified for a permit under this section. Notwithstanding s. 125.04 (6),
16 corporations or limited liability companies obtaining out-of-state shippers' permits
17 are not required to appoint agents.

18 **SECTION 2604gd.** 125.30 (4) of the statutes is created to read:

19 125.30 (4) An out-of-state brewer that manufactures 300,000 barrels or less
20 of fermented malt beverages in a calendar year from all locations and that holds an
21 out-of-state shipper's permit may sell and ship fermented malt beverages directly
22 to retail licensees if the out-of-state brewer registers with the department, files
23 whatever periodic reports with the department as the department may require, and
24 complies with the requirements in ss. 125.33 and 125.34, as applicable, to the same

1 extent as if the out-of-state brewer were a wholesaler holding a permit under s.
2 125.28.

3 **SECTION 2604ge.** 125.31 of the statutes is repealed.

4 **SECTION 2604gg.** 125.33 (1) (a) of the statutes is amended to read:

5 125.33 (1) (a) Except as provided in this section and ~~ss. s.~~ 125.295 and 125.31,
6 no brewer, brewpub, or wholesaler may furnish, give, lend, lease, or sell any
7 furniture, fixtures, fittings, equipment, money, or other thing of value to any campus
8 or Class "B" licensee or permittee, or to any person for the use, benefit, or relief of any
9 campus or Class "B" licensee or permittee, or guarantee the repayment of any loan
10 or the fulfillment of any financial obligation of any campus or Class "B" licensee or
11 permittee. Such actions may not be taken by the brewer, brewpub, or wholesaler
12 directly or indirectly, or through a subsidiary or affiliate corporation or limited
13 liability company, or by any officer, director, stockholder, partner, or member thereof.

14 **SECTION 2604gk.** 125.33 (7) (a) 1. a. of the statutes is amended to read:

15 125.33 (7) (a) 1. a. Receive, purchase, or acquire fermented malt beverages from
16 any licensee, or wholesale permittee or from any brewpub acting under authority of
17 s. 125.295 (1) (g), except for cash or credit for a period of not more than 15 days.

18 **SECTION 2604gm.** 125.33 (7) (a) 1. b. of the statutes is amended to read:

19 125.33 (7) (a) 1. b. Receive, purchase, or acquire fermented malt beverages from
20 any licensee or wholesale permittee, or from any brewpub acting under authority of
21 s. 125.295 (1) (g), if at the time of the receipt, purchase, or acquisition he or she is
22 indebted to any licensee, wholesale permittee, or brewpub for fermented malt
23 beverages received, purchased, acquired, or delivered more than 15 days earlier.

24 **SECTION 2604go.** 125.33 (7) (c) of the statutes is amended to read:

1 125.33 (7) (c) ~~Wholesalers and brewpubs holding retail licenses and permits~~
2 Brewpubs. For purposes of this subsection, a person holding both a fermented malt
3 beverage wholesale license and a fermented malt beverage retail license is deemed
4 a fermented malt beverage retailer. For purposes of this subsection, a brewpub,
5 when acting under authority of a retail license with respect to fermented malt
6 beverages not manufactured by the brewpub, is deemed a fermented malt beverages
7 retailer. This paragraph does not affect any provision of this subsection with respect
8 to a brewpub acting under authority of s. 125.295 (1) (g).

9 **SECTION 2604gq.** 125.33 (9) of the statutes is amended to read:

10 125.33 (9) CAMPUSES AND RETAILERS TO PURCHASE FROM WHOLESALERS. Except as
11 provided in ~~s. ss. 125.29 (3m) (b) and (c), 125.295 (1) (g), and 125.30 (4)~~, no campus
12 or retail licensee or permittee may purchase or possess fermented malt beverages
13 purchased from any person other than a wholesaler holding a license permit under
14 this chapter for the sale of fermented malt beverages. Any person who violates this
15 subsection may be fined not more than \$10,000 or imprisoned for not more than 9
16 months or both.

17 **SECTION 2604gs.** 125.33 (10) (a) 3. of the statutes is amended to read:

18 125.33 (10) (a) 3. "Successor wholesaler" means any wholesaler who enters into
19 an agreement, whether oral or written, to obtain a supply of a brand of fermented
20 malt beverages that is a discontinued brand, or otherwise acquires the right to act
21 as a wholesaler for a discontinued brand, from a brewer, brewpub, brewer's agent,
22 brewpub's agent, or holder of an out-of-state shipper's permit ~~after the brewer,~~
23 ~~brewpub, brewer's agent, brewpub's agent, or holder of an out-of-state shipper's~~
24 ~~permit has terminated, cancelled, or failed to renew an agreement, whether oral or~~
25 ~~written, with a terminated wholesaler to supply that same brand of fermented malt~~

1 beverages for purposes of selling the discontinued brand in a specifically defined
2 territory, if the discontinued brand was sold by a terminated wholesaler in any
3 portion of this same territory at a time immediately before the brand of fermented
4 malt beverages became a discontinued brand.

5 **SECTION 2604gu.** 125.33 (11) of the statutes is amended to read:

6 125.33 (11) SOURCE OF FERMENTED MALT BEVERAGES. (a) Subject to s. 125.34 (3),
7 no wholesaler ~~who holds a retail license issued under this chapter~~ authorized to
8 make retail sales under s. 125.28 (1) (e) may sell a brand of fermented malt beverages
9 to ~~another~~ a retail licensee unless the wholesaler has an agreement for general
10 wholesale distribution of that brand of fermented malt beverages with the brewer,
11 brewpub, brewer's agent, brewpub's agent, or holder of an out-of-state shipper's
12 permit supplying that brand.

13 (b) If a wholesaler ~~who holds a retail license issued under this chapter~~ violates
14 par. (a), any other wholesaler aggrieved by such violation or the brewer or brewpub
15 may bring an action against such wholesaler in any court of competent jurisdiction
16 for damages sustained by the aggrieved wholesaler or the brewer or brewpub as a
17 consequence of the violation, together with the actual costs of the action.
18 Notwithstanding s. 814.04 (1), a wholesaler or the brewer or brewpub who prevails
19 in an action under this paragraph may recover reasonable actual attorney fees
20 incurred in the action.

21 **SECTION 2604hc.** 125.33 (12) of the statutes is amended to read:

22 125.33 (12) PROVIDING TASTE SAMPLES ON CLASS "A" PREMISES. Notwithstanding
23 s. 125.34 (6) ~~(a)~~, with the consent of the Class "A" licensee, a brewer may provide, free
24 of charge, on Class "A" premises, taste samples of fermented malt beverages to any
25 person who has attained the legal drinking age for consumption on the premises

1 during hours in which the Class "A" licensee is authorized under s. 125.25 (1) to
2 provide taste samples or, if more restrictive, only during hours established by
3 ordinance by a municipality under s. 125.32 (3) (d). The provision of taste samples
4 under this subsection shall be subject to the same limitations that apply to taste
5 samples provided by a Class "A" licensee under s. 125.25 (1). No brewer may provide
6 as taste samples under this subsection any fermented malt beverages that the
7 brewer did not purchase from the Class "A" licensee on whose premises the taste
8 samples are provided. A brewer may provide taste samples under this subsection
9 through an individual representing the brewer who is hired by the brewer and who
10 is not employed by or an agent of a wholesaler ~~other than, if the brewer holds a~~
11 ~~wholesale license, the brewer.~~ All provisions of this subsection that apply to a brewer
12 apply equally to any individual representing a brewer.

13 **SECTION 2604he.** 125.33 (13) of the statutes is created to read:

14 125.33 (13) WHOLESALERS' SOURCE OF SUPPLY. No wholesaler may purchase
15 fermented malt beverages for resale unless the wholesaler purchases them either
16 from the primary source of supply for the brand of fermented malt beverages sought
17 to be sold or from a wholesaler within this state that holds a permit issued under s.
18 125.28. No wholesaler may sell fermented malt beverages purchased by the
19 wholesaler to any other licensee or permittee under this chapter if the fermented
20 malt beverages have not been purchased by the wholesaler from the primary source
21 of supply or from a wholesaler within the state holding a permit issued under s.
22 125.28.

23 **SECTION 2604hg.** 125.34 (1) (g) of the statutes is amended to read:

1 125.34 (1) (g) "Wholesaler" means a licensee permittee under s. 125.28 and
2 ~~includes a brewer or out-of-state shipper that holds a wholesaler's license under s.~~
3 ~~125.28.~~

4 **SECTION 2604hk.** 125.34 (2) (a) of the statutes is renumbered 125.34 (2) and
5 amended to read:

6 125.34 (2) Except as provided in ~~sub. (6) (b) and s. ss. 125.29 (3m) (b) and (c),~~
7 125.295 (1) (e) and (g), and 125.30 (4), no fermented malt beverages may be sold,
8 transported, or delivered to a retailer unless, prior to such sale, transport, or delivery,
9 the fermented malt beverages are first unloaded at, physically at rest at, and only
10 then distributed from a wholesaler's warehouse premises covered by both a
11 wholesaler's license permit issued under s. 125.28 and an alcohol beverage
12 warehouse permit issued under s. 125.19, which premises shall be in this state ~~and~~
13 ~~shall be a physically separate location from any retail premises or brewery premises.~~
14 This paragraph does not apply to a wholesaler issued a wholesaler's license permit
15 under s. 125.28 (1) (b) with respect to fermented malt beverages transported and
16 delivered from a warehouse in an adjoining state unless the wholesaler's warehouse
17 in the adjoining state is located on premises in the adjoining state used for the
18 manufacture of fermented malt beverages.

19 **SECTION 2604hm.** 125.34 (2) (bg), (bm) and (c) of the statutes are repealed.

20 **SECTION 2604ho.** 125.34 (3) (a) 1. of the statutes is amended to read:

21 125.34 (3) (a) 1. ~~Subject to subd. 3., a~~ A wholesaler may not sell, transport, or
22 deliver any brand of fermented malt beverages unless the wholesaler has entered
23 into a written agreement with the brewer, brewpub, or out-of-state shipper
24 supplying the brand that grants to the wholesaler distribution rights for the brand
25 and identifies the designated sales territory for which such distribution rights are

1 granted, including the precise geographical area comprising the designated sales
2 territory.

3 **SECTION 2604hq.** 125.34 (3) (a) 3. of the statutes is repealed.

4 **SECTION 2604hs.** 125.34 (4) (a) of the statutes is amended to read:

5 125.34 (4) (a) Any retailer located outside the wholesaler's designated sales
6 territory for the brand. This paragraph does not apply if another wholesaler that has
7 been granted distribution rights for the brand in the designated sales territory where
8 the sale, transportation, or delivery occurs is unable to service this designated sales
9 territory and the brewer, brewpub, or out-of-state shipper granting distribution
10 rights has, notwithstanding sub. (3) (a), given consent for the sale, transportation,
11 or delivery, which consent shall be limited to the time period that another wholesaler
12 is unable to service this designated sales territory. ~~This paragraph does not apply if~~
13 ~~the wholesaler is also a brewer and another wholesaler to whom this brewer has~~
14 ~~granted distribution rights for the brand in the designated sales territory where the~~
15 ~~sale, transportation, or delivery occurs has, notwithstanding sub. (3) (a), given~~
16 ~~consent for the sale, transportation, or delivery or refused to service this territory.~~

17 **SECTION 2604jc.** 125.34 (5) of the statutes is amended to read:

18 125.34 (5) Except as provided in ~~sub. (6) (b) and s. ss. 125.29 (3m) (b) and (c),~~
19 125.295 (1) (e) and (g), and 125.30 (4), deliveries of fermented malt beverages to
20 retailers may be made only by wholesalers and shall be made to retailers only at their
21 retail premises. No retailer may transport fermented malt beverages from one retail
22 premises to another retail premises for purposes of selling the fermented malt
23 beverages at the other retail premises unless both retail premises are operated by
24 a ~~brewer or~~ brewpub holding the retail licenses.

1 **SECTION 2604je.** 125.34 (6) (a) of the statutes is renumbered 125.34 (6) and
2 amended to read:

3 125.34 **(6)** Except as provided in ~~pars. (b) and (c) and ss. 125.06 (1) and 125.31~~
4 ~~(1) and (3) ss. 125.29 (3), (3m) (b) and (c) and 125.30 (4)~~, a brewer or out-of-state
5 shipper may sell, transport, and deliver fermented malt beverages only to a
6 wholesaler, ~~which may be the brewer or out-of-state shipper itself if, in its activities~~
7 ~~as a wholesaler, it complies with the requirements under subs. (2) to (5).~~

8 **SECTION 2604jg.** 125.34 (6) (b) of the statutes is repealed.

9 **SECTION 2604ji.** 125.34 (6) (c) of the statutes is repealed.”.

10 ***b0944/P1.1*1174.** Page 1006, line 13: after that line insert:

11 “**SECTION 2604d.** 125.07 (3) (a) 3. of the statutes is amended to read:

12 125.07 **(3)** (a) 3. Hotels, drug stores, grocery stores, bowling centers, movie
13 theaters, billiards centers having on the premises 12 or more billiards tables that are
14 not designed for coin operation and that are 8 feet or longer in length, indoor golf
15 simulator facilities, service stations, vessels, cars operated by any railroad, regularly
16 established athletic fields, outdoor volleyball courts that are contiguous to a licensed
17 premises, stadiums, public facilities as defined in s. 125.51 (5) (b) 1. d. which are
18 owned by a county or municipality or centers for the visual or performing arts.

19 **SECTION 2604e.** 125.32 (3) (c) of the statutes is amended to read:

20 125.32 **(3)** (c) Hotels and restaurants the principal business of which is the
21 furnishing of food and lodging to patrons, bowling centers, movie theaters, indoor
22 horseshoe-pitching facilities, curling clubs, golf courses and golf clubhouses may
23 remain open for the conduct of their regular business but may not sell fermented
24 malt beverages during the hours specified in par. (a).

1 **SECTION 2604f.** 125.32 (3m) (h) of the statutes is created to read:

2 125.32 **(3m)** (h) A movie theater.

3 **SECTION 2604g.** 125.68 (4) (c) 4. of the statutes is amended to read:

4 125.68 **(4)** (c) 4. Hotels and restaurants the principal business of which is the
5 furnishing of food, drinks or lodging to patrons, bowling centers, movie theaters,
6 indoor horseshoe-pitching facilities, curling clubs, golf courses and golf clubhouses
7 may remain open for the conduct of their regular business but may not sell
8 intoxicating liquor during the closing hours under subd. 1. or, with respect to the sale
9 of intoxicating liquor authorized under s. 125.51 (3r) (a), under subd. 3.”.

10 ***b0821/1.1*1175.** Page 1015, line 20: after that line insert:

11 “**SECTION 2637m.** 138.045 of the statutes is created to read:

12 **138.045 Method of calculating interest.** Interest on any note, bond, or
13 other instrument computed on the declining unpaid principal balance from time to
14 time outstanding may be computed and charged on actual unpaid balances at 1/360
15 of the annual rate for the actual number of days outstanding if the use of this
16 calculation method is disclosed in the note, bond, or other instrument. This section
17 does not apply to pawnbrokers’ loans under s. 138.10.”.

18 ***b0822/1.1*1176.** Page 1015, line 20: after that line insert:

19 “**SECTION 2637d.** 138.09 (1a) (a) of the statutes is amended to read:

20 138.09 **(1a)** (a) Banks, savings banks, savings and loan associations, trust
21 companies, credit unions, or any of their affiliates.

22 **SECTION 2637gc.** 138.14 (1) (bd) of the statutes is created to read:

23 138.14 **(1)** (bd) “Consumer report” has the meaning given in 15 USC 1681a (d).

24 **SECTION 2637gd.** 138.14 (1) (be) of the statutes is created to read:

1 138.14 (1) (be) "Consumer reporting agency" has the meaning given in 15 USC
2 1681a (f).

3 **SECTION 2637gf.** 138.14 (1) (k) 1. of the statutes is amended to read:

4 138.14 (1) (k) 1. A transaction between an individual with an account at a
5 financial establishment and another person, including a person who is not physically
6 located in this state, in which the person agrees to accept from the individual one or
7 more checks, to hold the check or checks for a period of time before negotiating or
8 presenting the check or checks for payment, and to loan to the individual, for a term
9 of 90 days or less, before negotiating or presenting the check or checks for payment,
10 an amount that is agreed to by the individual.

11 **SECTION 2637gg.** 138.14 (1) (k) 2. of the statutes is amended to read:

12 138.14 (1) (k) 2. A transaction between an individual with an account at a
13 financial establishment and another person, including a person who is not physically
14 located in this state, in which the person agrees to accept the individual's
15 authorization to initiate one or more electronic fund transfers from the account, to
16 wait a period of time before initiating the electronic fund transfer or transfers, and
17 to loan to the individual, for a term of 90 days or less, before initiating the electronic
18 fund transfer or transfers, an amount that is agreed to by the individual.

19 **SECTION 2637gi.** 138.14 (3) of the statutes is amended to read:

20 138.14 (3) EXEMPTIONS. This section does not apply to banks, savings banks,
21 savings and loan associations, trust companies, credit unions, or any of their
22 affiliates.

23 **SECTION 2637gk.** 138.14 (7) (e) 6. of the statutes is amended to read:

24 138.14 (7) (e) 6. The number of payday loans made during the preceding year
25 that resulted in repayment under sub. (11g) (a).

1 **SECTION 2637gm.** 138.14 (9g) (a) 6. of the statutes is amended to read:

2 138.14 (9g) (a) 6. Disclose to the applicant the payment requirements that may
3 apply under sub. (11g) (a) if the loan is not paid in full at the end of the loan term.

4 **SECTION 2637go.** 138.14 (9m) of the statutes is created to read:

5 138.14 (9m) INCOME VERIFICATION. Before entering into a payday loan with an
6 applicant that has not previously been a customer of the licensee, the licensee may
7 request the applicant's consumer report from a consumer reporting agency as part
8 of the licensee's underwriting process and the licensee may rely on the consumer
9 report as a permissible method of income verification in making the payday loan.
10 The licensee may also rely on the same consumer report in underwriting and making
11 subsequent payday loans to the same customer.

12 **SECTION 2637gq.** 138.14 (9r) (c) 4. of the statutes is amended to read:

13 138.14 (9r) (c) 4. The percentage of customers originating payday loans that
14 resulted in repayment under sub. (11g) (a).

15 **SECTION 2637gs.** 138.14 (10) (a) 2. of the statutes is amended to read:

16 138.14 (10) (a) 2. If a payday loan is not paid in full on or before the maturity
17 date, a licensee may charge, after the maturity date, interest at a rate not exceeding
18 2.75 percent per month, except that if a licensee makes a subsequent payday loan to
19 the customer under sub. (12) (a), and the customer does not pay the subsequent loan
20 in full on or before the maturity date of the subsequent loan, the licensee may charge,
21 after the maturity date of the subsequent loan, interest at a rate not exceeding 2.75
22 percent per month on the subsequent loan and the licensee may not charge any
23 interest under this subdivision on the prior loan. Interest earned under this
24 subdivision shall be calculated at the rate of one-thirtieth of the monthly rate

1 charged for each calendar day that the balance of the loan is outstanding. Interest
2 may not be assessed on any interest earned under this subdivision.

3 **SECTION 2637gu.** 138.14 (10) (am) of the statutes is amended to read:

4 138.14 (10) (am) *Penalties.* Except as provided in par. (b) 2., no licensee may
5 impose any penalty on a customer arising from the customer's prepayment of or
6 default or late payment on a payday loan, including any payment under sub. (11g)
7 (a).

8 **SECTION 2637hc.** 138.14 (11g) of the statutes is renumbered 138.14 (11g) (a)
9 and amended to read:

10 138.14 (11g) (a) If Except as provided in par. (b), if a customer fails to repay a
11 payday loan in full at the end of the loan term, the licensee that made the loan shall
12 offer the customer the opportunity to repay the outstanding balance of the loan in
13 4 equal installments with due dates coinciding with the customer's pay period
14 schedule.

15 **SECTION 2637he.** 138.14 (11g) (b) of the statutes is created to read:

16 138.14 (11g) (b) If a licensee offers a customer the opportunity to make
17 repayment under par. (a), then, during the 12-month period following the offer, no
18 licensee, including the licensee making the offer, is required to offer the customer
19 another opportunity to repay a payday loan under par. (a).

20 **SECTION 2637hg.** 138.14 (12) (b) of the statutes is amended to read:

21 138.14 (12) (b) No licensee may make a payday loan to a customer that results
22 in the customer having an outstanding aggregate liability in principal, interest, and
23 all other fees and charges, to all licensees who have made payday loans to the
24 customer of more than \$1,500 or 35 percent of the customer's gross monthly income,

1 whichever is less. As provided in sub. (9m), a licensee may rely on a consumer report
2 to verify a customer's income for purposes of this paragraph.

3 **SECTION 2637hi.** 138.14 (14) (d) 4. of the statutes is amended to read:

4 138.14 (14) (d) 4. Designate Automatically designate a payday loan as paid in
5 the database 5 days after the maturity date of the loan unless a licensee reports to
6 the database provider before that time that the loan remains open because of the
7 customer's failure to make payment; that the loan is open because the customer's
8 check or an electronic redeposit is in the process of clearing the banking system; that
9 the loan remains open because the customer's check is being returned to the licensee
10 for insufficient funds, a closed account, or a stop payment order; or that any other
11 factors determined by the division are applicable. If a licensee makes such a report,
12 the database provider shall designate the payday loan as an open transaction until
13 the database provider is notified that the transaction is closed.

14 **SECTION 2637hk.** 138.14 (14) (h) of the statutes is amended to read:

15 138.14 (14) (h) The division shall, by order or rule, specify a database
16 transaction fee of no more than \$1 that the database provider shall charge to
17 licensees to cover the costs of developing and implementing the database, and
18 accessing the database to verify that a customer does not have any payday loans with
19 the licensee or others that in combination with a new transaction will create a
20 violation of this section. The database fee is payable directly to the division in a
21 manner prescribed by the division and, if the department has contracted with a
22 3rd-party provider to operate the database, the division shall remit the fee to the
23 3rd-party provider as specified in the contract.

24 **SECTION 2637hm.** 138.14 (14) (j) of the statutes is created to read:

1 138.14 (14) (j) If the database, as determined by the division, is not fully
2 operational, or the licensee is unable to access the database and, as determined
3 under rules promulgated by the division, the alternate process established under
4 par. (d) 2. is also unavailable, a licensee may rely upon the written verification of the
5 customer in a statement provided in substantially the following form in at least
6 12-point type:

7 “I DO NOT HAVE ANY OUTSTANDING PAYDAY LOANS WITH THIS
8 LICENSEE AND I DO NOT HAVE MORE PAYDAY LOANS WITH ANY OTHER
9 LICENSED PAYDAY LOAN PROVIDER IN THIS STATE.”

10 **SECTION 2637kd.** 138.16 (1) (a) of the statutes is created to read:

11 138.16 (1) (a) “Division” means the division of banking attached to the
12 department of financial institutions.

13 **SECTION 2637ke.** 138.16 (1) (bm) of the statutes is created to read:

14 138.16 (1) (bm) “Licensed location” means the location specified in a license
15 issued under s. 138.09 (1m) (a).

16 **SECTION 2637kf.** 138.16 (1) (c) of the statutes is amended to read:

17 138.16 (1) (c) “Title loan” means a loan of \$25,000 or less to a borrower, who
18 obtains or seeks to obtain the loan for personal, family, or household purposes, that
19 is, or is to be, secured by an interest, other than a purchase money security interest,
20 in the borrower’s motor vehicle, and that has an original term of not more than 6
21 months.

22 **SECTION 2637kg.** 138.16 (1m) of the statutes is created to read:

23 138.16 (1m) CERTIFICATE OF AUTHORIZATION. (a) Before a licensed lender may
24 make title loans under this section, the licensed lender shall first obtain from the

1 division, for each licensed location at which any title loan is to be made, a certificate
2 authorizing the licensed lender to make title loans from that location.

3 (b) At the time of making an application for a certificate under par. (a), an
4 applicant shall pay to the division an initial annual fee of \$5,000. The valid period
5 for the certificate shall be a calendar year and each certificate shall expire on the last
6 day of the calendar year. To renew a certificate, the certificate holder shall, on or
7 before December 10 of the year in which the certificate is to expire, pay to the division
8 an annual renewal fee of \$5,000 for the following calendar year.

9 **SECTION 2637kh.** 138.16 (2) of the statutes is renumbered 138.16 (2) (a) and
10 amended to read:

11 138.16 (2) (a) No licensed lender may make a title loan to a borrower that
12 results in the borrower having liability for the loan, in principal, of more than 50
13 percent of the retail value of the motor vehicle used as security for the loan. The
14 division shall promulgate rules for determining the retail value of a motor vehicle for
15 purposes of this paragraph, including rules specifying nationally recognized pricing
16 guides that may be used for determining retail value at the time of loan origination.

17 **SECTION 2637ki.** 138.16 (2) (b) of the statutes is created to read:

18 138.16 (2) (b) 1. This section imposes no limit on the interest that a licensed
19 lender may charge before the maturity date of a title loan.

20 2. If a title loan is not paid in full on or before the maturity date, a licensed
21 lender may charge, after the maturity date, interest at a rate not exceeding 2.75
22 percent per month. Interest earned under this subdivision shall be calculated at the
23 rate of one-thirtieth of the monthly rate charged for each calendar day that the
24 balance of the loan is outstanding. Interest may not be assessed on any interest
25 earned under this subdivision.

1 **SECTION 2637kj.** 138.16 (3) of the statutes is created to read:

2 138.16 (3) RESCISSION. A borrower may rescind a title loan, before the close of
3 business on the next day of business after the loan is made, or, if the place of business
4 where the loan is made is open 24 hours, before 5 p.m. on the next day of business
5 after the loan is made, by returning to the licensed lender the proceeds of the loan.
6 The licensed lender may not charge the borrower any fee for rescinding the title loan
7 as provided in this subsection.

8 **SECTION 2637kk.** 138.16 (4) of the statutes is created to read:

9 138.16 (4) OTHER REQUIREMENTS. (a) A licensed lender may not make a title loan
10 to a borrower that is secured by an interest in a motor vehicle if the motor vehicle is
11 subject to another security interest.

12 (b) A licensed lender may not require a borrower to provide the licensed lender
13 with a key or copy of a key to a motor vehicle used as security for a title loan as a
14 condition for making the title loan to the borrower.

15 (c) A licensed lender or person acting on behalf of a licensed lender may not take
16 possession of a motor vehicle used as security for a title loan to a borrower without
17 sending notice to the borrower at least 20 days prior to taking possession. The notice
18 shall state the intent to take possession and describe the basis for the right to take
19 possession. This paragraph does not apply to possession that is obtained by a
20 borrower's voluntary surrender of a motor vehicle.

21 (d) A licensed lender or other person may charge a borrower a reasonable
22 storage fee for a motor vehicle of the borrower of which the licensed lender or person
23 acting on behalf of the licensed lender has obtained possession, including possession
24 that is obtained by voluntary surrender.

1 (e) A licensed lender shall return to a borrower the amount of any proceeds from
2 the disposition of a motor vehicle used as security for a title loan to the borrower that
3 exceed the borrower's liability to the licensed lender for the loan.

4 (f) A borrower is not liable to a licensed lender for any deficiency resulting from
5 the licensed lender's disposition of a motor vehicle used as security for a title loan,
6 unless the borrower has done any of the following:

7 1. Impaired the licensed lender's security interest by intentionally damaging
8 or destroying the motor vehicle.

9 2. Intentionally concealed the motor vehicle.

10 3. Pledged to the licensed lender a motor vehicle that is already encumbered
11 by an undisclosed prior lien.

12 4. Subsequent to obtaining the title loan, pledged or sold to a third party a
13 motor vehicle used as security for a title loan without the licensed lender's written
14 consent.”.

15 ***b0943/1.4*1177.** Page 1015, line 20: after that line insert:

16 “SECTION 2637m. 139.01 (4) of the statutes is amended to read:

17 139.01 (4) “License,” and “fermented malt beverages” have the same meaning
18 as in s. 125.02, and “licensed premises” are premises described in licenses and
19 permits issued by the department, cities, villages, or towns under the authority of
20 said section.”.

21 ***b0952/1.1*1178.** Page 1015, line 20: after that line insert:

22 “SECTION 2637n. 139.76 (1) of the statutes is amended to read:

23 139.76 (1) An excise tax is imposed upon the sale, offering or exposing for sale,
24 possession with intent to sell or removal for consumption or sale or other disposition

1 for any purpose of tobacco products by any person engaged as a distributor of them
2 at the rate, for tobacco products, not including moist snuff, of 71 percent of the
3 manufacturer's established list price to distributors without diminution by volume
4 or other discounts on domestic products and, for moist snuff, at the rate of 100
5 ~~percent of the manufacturer's established list price to distributors without~~
6 ~~diminution by volume or other discounts on domestic products~~ \$1.76 per ounce, and
7 at a proportionate rate for any other quantity or fractional part in excess of 1.2
8 ounces. The tax imposed on a can or package of moist snuff that weighs less than 1.2
9 ounces shall be equal to the amount of the tax imposed on a can or package that
10 weighs 1.2 ounces. The tax imposed under this subsection on cigars shall not exceed
11 an amount equal to 50 cents for each cigar. On products imported from another
12 country, not including moist snuff, the rate of tax is 71 percent of the amount obtained
13 by adding the manufacturer's list price to the federal tax, duties and transportation
14 costs to the United States. ~~On moist snuff imported from another country, the rate~~
15 ~~of the tax is 100 percent of the amount obtained by adding the manufacturer's list~~
16 ~~price to the federal tax, duties, and transportation costs to the United States.~~ The
17 tax attaches at the time the tobacco products are received by the distributor in this
18 state. The tax shall be passed on to the ultimate consumer of the tobacco products.
19 All tobacco products received in this state for sale or distribution within this state,
20 except tobacco products actually sold as provided in sub. (2), shall be subject to such
21 tax.

22 **SECTION 2637p.** 139.78 (1) of the statutes is amended to read:

23 139.78 (1) A tax is imposed upon the use or storage by consumers of tobacco
24 products in this state at the rate, for tobacco products, not including moist snuff, of
25 71 percent of the cost of the tobacco products and, for moist snuff, at the rate of 100

1 ~~percent of the manufacturer's established list price to distributors without~~
2 ~~diminution by volume or other discounts on domestic products \$1.76 per ounce, and~~
3 ~~at a proportionate rate for any other quantity or fractional part in excess of 1.2~~
4 ~~ounces. The tax imposed on a can or package of moist snuff that weighs less than 1.2~~
5 ~~ounces shall be equal to the amount of the tax imposed on a can or package that~~
6 ~~weighs 1.2 ounces.~~ The tax imposed under this subsection on cigars shall not exceed
7 an amount equal to 50 cents for each cigar. The tax does not apply if the tax imposed
8 by s. 139.76 (1) on the tobacco products has been paid or if the tobacco products are
9 exempt from the tobacco products tax under s. 139.76 (2).".

10 ***b1016/1.1*1179.** Page 1016, line 21: after that line insert:

11 "SECTION 2641c. 145.245 (4r) of the statutes is created to read:

12 145.245 (4r) REQUIREMENT TO REHABILITATE OR REPLACE PRIVATE SEWAGE SYSTEMS.

13 (a) A governmental unit, the department of safety and professional services, or the
14 department of natural resources may require an owner of a principal residence to
15 rehabilitate or replace a failing private sewage system that serves the principal
16 residence only if one or more of the following apply:

17 1. The failing private sewage system is causing or results in the discharge of
18 sewage into surface water, groundwater, a drain tile, bedrock, or a zone of saturated
19 soil and the discharge has reached a property owned by a person other than the
20 owner of the principal residence.

21 2. The owner receives a grant under this section.

22 3. The owner's annual family income, as determined by the department under
23 sub. (5) (c) 2. to 4., exceeds 300 percent of the federal poverty line, as defined under
24 42 USC 9902 (2), for a family the size of the owner's family.

1 4. The owner is transferring ownership of the property.

2 (b) For a failing private sewage system to which subd. 1. applies, if the owner
3 will be rehabilitating the system, the owner need rehabilitate the system only to the
4 extent that is necessary to prevent the discharge from reaching property owned by
5 a person other than the owner.

6 **SECTION 2641d.** 145.245 (5) (a) 1. of the statutes is amended to read:

7 145.245 (5) (a) 1. A person is eligible for grant funds under this section if he or
8 she owns a principal residence which is served by a category 1 or 2 failing private
9 sewage system, if the private sewage system was installed before July 1, 1978, if the
10 family income of the person does not exceed the income limitations under par. (c), if
11 the amount of the grant determined under sub. (7) is at least \$100, if the principal
12 residence is not located in an area served by a sewer and if determination of failure
13 is made prior to the rehabilitation or replacement of the failing private sewage
14 system.

15 **SECTION 2641e.** 145.245 (5) (c) 1. of the statutes is amended to read:

16 145.245 (5) (c) 1. In order to be eligible for grant funds under this section to
17 rehabilitate or replace a private sewage system for a principal residence, the owner's
18 annual family income of the person who owns the principal residence may not exceed
19 \$45,000 300 percent of the federal poverty line, as defined under 42 USC 9902 (2),
20 for a family the size of the owner's family.

21 **SECTION 2641f.** 145.245 (7) (bn) of the statutes is created to read:

22 145.245 (7) (bn) Except as provided in par. (e), the state grant share under this
23 section for each participating governmental unit shall equal 75 percent of allowable
24 costs for rehabilitating or replacing the private sewage systems that serve principal
25 residences for which grant applications are received by the governmental unit.

1 **SECTION 2641g.** 145.245 (7) (c) of the statutes is amended to read:

2 145.245 (7) (c) Except as provided in ~~pars. (d) and par. (e)~~, the state grant share
3 under this section for each participating governmental unit is limited to \$7,000 for
4 each ~~principal residence or~~ small commercial establishment ~~to be~~ served by the
5 private sewage system that is regulated by the participating governmental unit or
6 to the amount determined by the department based upon private sewage system
7 grant funding tables, whichever is less. The department shall prepare and publish
8 these private sewage system grant funding tables for small commercial
9 establishments which specify the maximum state grant share limitation for various
10 components and costs involved in the rehabilitation or replacement of a private
11 sewage system based upon minimum size and other requirements specified in the
12 state plumbing code promulgated under s. 145.02. The maximum state grant share
13 limitations for small commercial establishments shall be designed to pay
14 approximately 60% of the average allowable cost of private sewage system
15 rehabilitation or replacement based upon estimated or actual costs of that
16 rehabilitation or replacement. The department shall revise the grant funding tables
17 when it determines that 60% of current costs of private sewage system rehabilitation
18 or replacement exceed the amounts in the grant funding tables by more than 10%,
19 except that the department may not revise the grant funding tables more often than
20 once every 2 years.

21 **SECTION 2641h.** 145.245 (7) (d) of the statutes is repealed.

22 **SECTION 2641j.** 145.245 (8) (title) of the statutes is amended to read:

23 145.245 (8) (title) APPLICATION; GOVERNMENTAL UNITS.

24 **SECTION 2641k.** 145.245 (9) (g) of the statutes is amended to read:

1 145.245 (9) (g) Establish a system which provides for the distribution of grant
2 funds received among eligible applicants based on the amount requested in the
3 application as approved by the department. ~~If the amount received by a county is~~
4 ~~insufficient to fully fund all grants, the county shall prorate grant funds on the same~~
5 ~~basis as sub. (11m).~~

6 **SECTION 2641m.** 145.245 (11) (c) of the statutes is amended to read:

7 145.245 (11) (c) *Allocation.* The department shall allocate available funds for
8 grants to each participating governmental unit according to the total amount of the
9 state grant share for all eligible applications received by that participating
10 governmental unit. In making this allocation for each participating governmental
11 unit, the department shall determine the amount of grant funding that will be
12 available for principal residences and the amount that will be available for small
13 commercial establishments.

14 **SECTION 2641n.** 145.245 (11g) of the statutes is created to read:

15 145.245 (11g) **PRIORITY SYSTEM; PRINCIPAL RESIDENCES.** The department shall
16 promulgate rules to establish a priority system for grants under this section to
17 owners of principal residences under which the highest priority is given to grants for
18 the rehabilitation or replacement of failing private sewage systems for which written
19 enforcement orders, as specified in sub. (1) (a) 2. or 3., have been issued.

20 **SECTION 2641p.** 145.245 (11m) (title) of the statutes is amended to read:

21 145.245 (11m) (title) **PRORATING SMALL COMMERCIAL ESTABLISHMENTS.**

22 **SECTION 2641r.** 145.245 (11m) (e) of the statutes is created to read:

23 145.245 (11m) (e) This subsection does not apply to grants for the
24 rehabilitation or replacement of failing private sewage systems that serve principal
25 residences.

1 **SECTION 2641s.** 145.245 (12) (title) of the statutes is amended to read:

2 145.245 (12) (title) DETERMINATION OF ELIGIBILITY; DISBURSEMENT OF GRANTS;
3 GOVERNMENTAL UNITS.

4 **SECTION 2641t.** 145.245 (12m) (a) of the statutes is amended to read:

5 145.245 (12m) (a) A governmental unit to which the department allocates
6 funds under sub. (11) for a fiscal year may apply to the department for a loan under
7 this subsection if ~~the department prorates funds under sub. (11m)~~ funds are not
8 sufficient to fully fund all applications for that fiscal year. -A

9 (ar) For grants to rehabilitate or replace private sewage systems that serve
10 small commercial establishments, a governmental unit may only use a loan under
11 this subsection to increase the amounts of grants to persons eligible under sub. (5)
12 above the amounts that would be provided without a loan under this subsection or
13 to provide grants to persons eligible under sub. (5) who would otherwise not receive
14 grants, because of the operation of sub. (11m) (c), but the total amount provided to
15 a person under this section may not exceed the amount authorized under sub. (7) (c).

16 **SECTION 2641u.** 145.245 (12m) (ag) of the statutes is created to read:

17 145.245 (12m) (ag) For grants to rehabilitate or replace private sewage
18 systems that serve principal residences, a governmental unit may only use a loan
19 under this subsection to increase the number of grants to persons eligible under sub.
20 (5) above the number of grants that would be provided without a loan under this
21 subsection or to provide grants to persons eligible under sub. (5) who would otherwise
22 not receive grants under the priority system established under sub. (11g).”.

23 ***b1051/1.1*1180.** Page 1018, line 7: after that line insert:

1 “**SECTION 2646t.** 146.38 (1) (b) 2. of the statutes, as created by 2011 Wisconsin
2 Act 2, is amended to read:

3 146.38 (1) (b) 2. A facility, association, or business entity, as specified in s.
4 146.81 (1) (i) to (q) and including a residential care apartment complex, as defined
5 in s. 50.01 (1d).”.

6 ***b0739/2.218*1181.** Page 1018, line 14: delete lines 14 to 19.

7 ***b0834/1.2*1182.** Page 1018, line 19: after that line insert:

8 “**SECTION 2648x.** 146.66 of the statutes is created to read:

9 **146.66 Low-income dental clinics.** (1) From the appropriation account
10 under s. 20.435 (1) (dk), in each fiscal year, the department shall award grants to no
11 fewer than 9 nonprofit dental clinics that meet the eligibility requirements under
12 sub. (2) and are located in this state.

13 (2) To be eligible for a grant under sub. (1), a nonprofit dental clinic must satisfy
14 all of the following requirements:

15 (a) The clinic does not receive federal funds under 42 USC 254b.

16 (b) The clinic’s primary purpose is to provide dental care to low-income
17 patients, which may include any of the following individuals:

18 1. Recipients of medical assistance, as defined in s. 49.43 (8).

19 2. Low-income individuals who do not qualify for medical assistance, as
20 defined in s. 49.43 (8).

21 3. Individuals under the age of 18.

22 4. Individuals over the age of 65.

23 5. Individuals with disabilities.

1 (3) The department shall seek federal funding to support the operations of
2 dental clinics that receive grants under sub. (1) and shall request that the federal
3 department of health and human services encourage collaborative arrangements
4 between private dentists and health centers that receive federal funds under 42 USC
5 254b.”.

6 ***b0934/P1.1*1183.** Page 1018, line 19: after that line insert:

7 “**SECTION 2648q.** 146.82 (2) (a) 22. of the statutes is created to read:

8 146.82 (2) (a) 22. By a person specified in subd. 21. to a correctional officer of
9 the department of corrections who has custody of or is responsible for the supervision
10 of a prisoner, to a person designated by a jailer to have custodial authority over a
11 prisoner, or to a law enforcement officer or other person who is responsible for
12 transferring a prisoner to or from a prison or jail, if the patient health care record
13 indicates that the prisoner has a communicable disease and disclosure of that
14 information is necessary for the health and safety of the prisoner or of other
15 prisoners, of the person whom the information is disclosed, or of any employee of the
16 prison or jail.”.

17 ***b0831/2.1*1184.** Page 1018, line 20: delete the material beginning with
18 that line and ending with page 1019, line 16, and substitute:

19 “**SECTION 2649x.** 146.83 (1d) of the statutes is renumbered 146.83 (1c) and
20 amended to read:

21 146.83 (1c) Except as provided in s. 51.30 or 146.82 (2), any patient or person
22 authorized by the patient may, upon submitting a statement of informed consent,
23 inspect the health care records of a health care provider pertaining to that patient.
24 ~~Except as provided in sub. (1g), the health care provider shall make the records~~

1 ~~available for inspection by the patient or person authorized by the patient during~~
2 ~~regular business hours, after the health care provider receives notice from the~~
3 ~~patient or person authorized by the patient. A health care provider may not charge~~
4 ~~a fee for inspection under this subsection at any time during regular business hours,~~
5 ~~upon reasonable notice.”.~~

6 ***b0831/2.2*1185.** Page 1020, line 4: delete “(bm)” and substitute “(cm)”.

7 ***b0831/2.3*1186.** Page 1020, line 6: delete lines 6 to 22 and substitute:

8 “146.83 (1f) (cm) Except as provided in sub. (1g), a health care provider may
9 not charge a patient or a person authorized by the patient more than 25 percent of
10 the applicable fee under sub. (3f) for providing one set of copies of a patient’s health
11 care records under this subsection section if the patient is eligible for medical
12 assistance, as defined in s. 49.43 (8). A health care provider may require that a
13 patient or person authorized by the patient provide proof that the patient is eligible
14 for medical assistance before providing copies under this subdivision ~~without~~
15 paragraph at a reduced charge. A health care provider may charge the fees 100
16 percent of the applicable fee under par. (e) sub. (3f) for providing a 2nd or additional
17 set of copies of patient health care records for a patient who is eligible for medical
18 assistance.

19 **SECTION 2658x.** 146.83 (1g) of the statutes is amended to read:

20 146.83 (1g) ~~The time limit for making records available for inspection under~~
21 ~~sub. (1d), the time limits for providing copies of records under sub. (1f) (a) and (b),~~
22 ~~and the requirement under sub. (1f) (d) 2. (cm) to provide one set of copies of records~~
23 ~~without at a reduced~~ charge if the patient is eligible for medical assistance ~~do~~ does

1 not apply if the health care provider is the department or the department of
2 corrections.

3 **SECTION 2659x.** 146.83 (1h) (a) of the statutes is repealed.

4 **SECTION 2659y.** 146.83 (1h) (b) of the statutes is repealed.

5 **SECTION 2659z.** 146.83 (1h) (c) of the statutes is renumbered 146.83 (1f) (bm).”.

6 ***b0831/2.4*1187.** Page 1021, line 3: delete lines 3 to 21 and substitute:

7 “**SECTION 2663m.** 146.83 (3f) of the statutes is created to read:

8 146.83 (3f) (a) Except as provided in sub. (1f) or s. 51.30 or 146.82 (2), if a person
9 requests copies of a patient’s health care records, provides informed consent, and
10 pays the applicable fees under par. (b), the health care provider shall provide the
11 person making the request copies of the requested records.

12 (b) Except as provided in sub. (1f), a health care provider may charge no more
13 than the total of all of the following that apply for providing the copies requested
14 under par. (a):

15 1. For paper copies: \$1 per page for the first 25 pages; 75 cents per page for
16 pages 26 to 50; 50 cents per page for pages 51 to 100; and 30 cents per page for pages
17 101 and above.

18 2. For microfiche or microfilm copies, \$1.50 per page.

19 3. For a print of an X-ray, \$10 per image.

20 4. If the requester is not the patient or a person authorized by the patient, for
21 certification of copies, a single \$8 charge.

22 5. If the requester is not the patient or a person authorized by the patient, a
23 single retrieval fee of \$20 for all copies requested.

24 6. Actual shipping costs and any applicable taxes.

(c) 1. In this paragraph, "consumer price index" means the average of the consumer price index for all urban consumers, U.S. city average, as determined by the bureau of labor statistics of the U.S. department of labor.

2. On each July 1, beginning on July 1, 2012, the department shall adjust the dollar amounts specified under par. (b) by the percentage difference between the consumer price index for the 12-month period ending on December 31 of the preceding year and the consumer price index for the 12-month period ending on December 31 of the year before the preceding year. The department shall notify the legislative reference bureau of the adjusted amounts and the legislative reference bureau shall publish the adjusted amounts in the Wisconsin Administrative Register."

***b0831/2.5*1188.** Page 1021, line 24: after "(1c)" insert "or (3f)".

***b1045/P3.8*1189.** Page 1021, line 24: after that line insert:

"SECTION 2664g. 146.89 (1) (d) 2. of the statutes is amended to read:

146.89 (1) (d) 2. A private school, as defined in s. 115.001 (3r), that participates in the Racine Parental Choice Program under s. 118.60 ^{or the Green Bay Parental Choice Program} ~~or the Milwaukee Parental Choice Program~~ under s. 119.23.

SECTION 2664r. 146.89 (1) (g) 3. of the statutes is amended to read:

146.89 (1) (g) 3. A private school, as defined in s. 115.001 (3r), that participates in the Racine Parental Choice Program under s. 118.60 ^{or the Green Bay Parental Choice Program} ~~or the Milwaukee Parental Choice Program~~ under s. 119.23."

***b1046/P3.8*1190.** Page 1021, line 24: after that line insert:

"SECTION 2664g. 146.89 (1) (d) 2. of the statutes is amended to read:

1 146.89 (1) (d) 2. A private school, as defined in s. 115.001 (3r), that participates
2 in the Green Bay Parental Choice Program under s. 118.62 or the Milwaukee
3 Parental Choice Program under s. 119.23.

4 **SECTION 2664r.** 146.89 (1) (g) 3. of the statutes is amended to read:

5 146.89 (1) (g) 3. A private school, as defined in s. 115.001 (3r), that participates
6 in the Green Bay Parental Choice Program under s. 118.62 or the Milwaukee
7 Parental Choice Program under s. 119.23.”.

8 ***b1050/2.1*1191.** Page 1021, line 24: after that line insert:

9 “**SECTION 2664f.** 146.89 (3) (b) 9. to 13. of the statutes are created to read:

10 146.89 (3) (b) 9. Procedures that are confined to incision, excision, or
11 manipulation of epidermal and dermal skin.

12 10. Skin biopsies to a depth of 5 millimeters and debridement of diabetic ulcers,
13 including subcutaneous tissue.

14 11. Punch biopsies of epidermal and dermal lesions with incidental removal of
15 minimal fat.

16 12. Destruction of epidermal and dermal lesions using liquid nitrogen.

17 13. Corticosteroid injections of dermal lesions, joints, tendon sheaths, and
18 bursae.

19 **SECTION 2664h.** 146.89 (3r) (b) 1. of the statutes is amended to read:

20 146.89 (3r) (b) 1. Except as specified in par. (c), the health care services
21 specified in sub. (3) (b) 1. to 5. and 7., other than referrals to reproductive health care
22 specialists, and in sub. (3) (b) 8. to 13.

23 **SECTION 2664j.** 146.89 (3r) (c) 2. of the statutes is amended to read:

1 146.89 (3r) (c) 2. Surgery, except as provided in par. (b) 2. and 5. and sub. (3)
2 (b) 9. to 12.”.

3 ***b0739/2.219*1192.** Page 1025, line 8: delete lines 8 to 13.

4 ***b0871/3.6*1193.** Page 1025, line 24: delete the material beginning with
5 that line and ending with page 1026, line 6.

6 ***b0739/2.220*1194.** Page 1026, line 7: delete lines 7 to 11.

7 ***b0917/P5.8*1195.** Page 1026, line 23: after that line insert:

8 “SECTION 2682m. 165.77 (7) of the statutes is amended to read:

9 165.77 (7) Whenever a Wisconsin law enforcement agency or a health care
10 professional collects evidence in a case of alleged or suspected sexual assault, the
11 agency or professional shall follow the procedures specified in the department’s rules
12 under sub. (8). The laboratories shall perform, in a timely manner, deoxyribonucleic
13 acid analysis of specimens provided by law enforcement agencies under sub. (2). The
14 laboratories shall not include data obtained from deoxyribonucleic acid analysis of
15 those specimens in the data bank under sub. (3).”.

16 ***b1014/2.1*1196.** Page 1031, line 2: after that line insert:

17 “SECTION 2702p. 169.19 (3) (d) of the statutes is created to read:

18 169.19 (3) (d) A municipality or county may not limit the number of wild birds
19 that are released into the wild under the authority of a bird hunting preserve
20 license.”.

21 ***b0739/2.221*1197.** Page 1031, line 4: delete lines 4 to 20.

22 ***b0917/P5.9*1198.** Page 1031, line 20: after that line insert:

23 “SECTION 2704m. 175.405 of the statutes is created to read:

175.405 Sexual assault; evidence where no suspect has been identified.

(1) In this section, "law enforcement agency" has the meaning given in s. 165.83 (1) (b).

(2) Whenever a Wisconsin law enforcement agency collects, in a case of alleged or suspected sexual assault, evidence upon which deoxyribonucleic acid analysis can be performed, and the person who committed the alleged or suspected sexual assault has not been identified, the agency shall follow the procedures specified in s. 165.77 (8) and shall, in a timely manner, submit the evidence it collects to a crime laboratory, as identified in s. 165.75."

***b0720/1.5*1199.** Page 1032, line 1: delete lines 1 to 9.

***b0795/P1.1*1200.** Page 1032, line 17: after that line insert:

"SECTION 2707m. 196.31 (2m) of the statutes is amended to read:

196.31 (2m) From the appropriation under s. 20.155 (1) (j), the commission shall may make an annual grant grants that, in the aggregate, do not exceed an annual total of \$300,000 to ~~—a~~ one or more nonstock, nonprofit ~~corporation~~ corporations that ~~is~~ are described under section 501 (c) (3) of the Internal Revenue Code, and that ~~has~~ have a history of advocating at the commission on behalf of ~~residential ratepayers for affordable rates~~ ratepayers of this state, for the purpose of offsetting the general expenses of the ~~corporation~~ corporations, including salary, benefit, rent, and utility expenses. The commission may impose conditions on grants made under this subsection and may revoke a grant if the commission finds that such a condition is not being met."

***b0821/1.2*1201.** Page 1032, line 17: after that line insert: